

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff-Respondent,

v.

IAN CHRISTOPHERSON,

Defendant-Petitioner.

Case No. 2:09-cr-00056-MMD-VCF
Related Case No. 2:15-cv-00704-MMD

ORDER

Before the Court is Petitioner Ian Christopherson's Motion to Unseal Records ("Motion"). (Dkt. no. 198.) Petitioner seeks to unseal records relating to the recusal of the Honorable Kent Dawson and any related subsequent filings. It is apparent that Petitioner is referring to a hearing held on September 4, 2012. (Dkt. no. 132.) Judge Dawson had ordered the hearing "to be sealed for the moment." (Dkt. no. 144 at 4.) While Petitioner has access to the sealed documents as a party, he is seeking to unseal these sealed records as a member of the public.

The Court has inherent power to seal documents. *United States v. Shyrock*, 342 F.3d 948, 983 (9th Cir. 2003). As the Ninth Circuit has observed, "judicial records are public documents almost by definition, and the public is entitled to access by default." *Kamakana v. City & Cnty. of Honolulu*, 447 F.3d 1172, 1178-80 (9th Cir. 2006) (finding that a party seeking to seal judicial documents bears the burden of overcoming the "strong presumption in favor of access" by meeting the "compelling reasons" standard.)

1 Now that the underlying criminal matter has concluded, the Court finds that the
2 September 4, 2012 hearing, and all related sealed filings, should be unsealed.¹

3 It is therefore ordered that the Motion to Unseal Records (dkt. no. 198) is
4 granted. The Clerk is directed to unseal the transcript of the September 4, 2012, hearing
5 and any related sealed filings, which consist of the following docket numbers: 132, 144,
6 146, and 149.

7 DATED this 20th day of May 2015.



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9 MIRANDA M. DU
10 UNITED STATES DISTRICT JUDGE
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27 ¹In his Motion, Petitioner raises substantive arguments in support of his habeas
28 petition as grounds for unsealing the sealed records. These arguments are not properly
raised and will not be addressed in this Order.